

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KLASSIC HAWKINS,

Plaintiff,

-v-

HESS RETAIL STORES LLC,

Defendant.
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**ORDER SCHEDULING
SETTLEMENT CONFERENCE**

19-CV-5932 (JPC) (JLC)

JAMES L. COTT, United States Magistrate Judge.

By Order of Reference dated September 9, 2021 (Dkt. No. 32), Judge Cronan referred this case to me for settlement. The parties and the Court conferred, and agreed that the conference will be held before me on **October 1, 2021 at 2:15 p.m.** Unless circumstances permit otherwise, the conference will be held on Zoom, as the parties have requested. The Court will begin the settlement conference in joint session with all parties before breaking into private session and speaking to the parties individually using Zoom's breakout room feature. The Court will email a Zoom link to counsel a few days before the settlement conference.

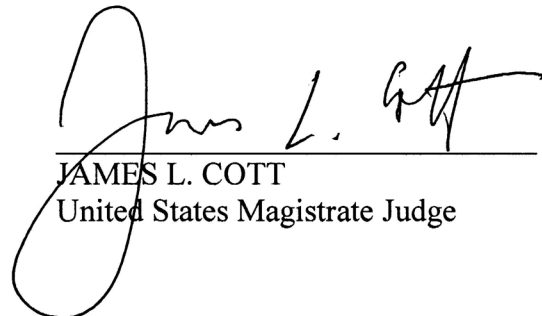
The Court's "Standing Order for All Cases Referred for Settlement to Magistrate Judge James L. Cott" is enclosed and is incorporated herein by reference. Please read the Standing Order carefully. **Failure to comply with the Standing Order may result in sanctions.** The parties are directed to pay particular attention to paragraph 5, which sets forth who must appear at the conference on behalf of a corporate party. The parties should also note that paragraph 3 of the Standing Order requires *ex parte* written submissions to be

made five (5) business days prior to the conference, in this case **September 24, 2021**. Paragraph 4 requires that a copy of the Acknowledgment Form be submitted to opposing parties and another copy be submitted to the Court together with the *ex parte* settlement letter. **Each party must include the name and telephone number of each participant on the Acknowledgement Form.** Pursuant to the instructions in the Standing Order, the parties should email these materials to CottNYSDChambers@nysd.uscourts.gov.

Finally, Paragraph 3 of the Standing Order requires that if plaintiff has not already made a demand, he must do so no later than 14 days prior to the conference, and defendant shall respond no later than 7 days thereafter. Even if plaintiff has made a demand as part of a court-ordered or private mediation previously attended by the parties, plaintiff is still required to make (or renew) a demand 14 days prior to the conference, and defendant must respond within 7 days. In other words, the parties should not wait for the settlement conference in order to commence negotiations of a resolution of their dispute.

SO ORDERED.

Dated: September 13, 2021
New York, New York



JAMES L. COTT
United States Magistrate Judge